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CITY CLERK

Seattle City Council
Planning, Land Use and Neighborhoods Committee
c/o Seattle City Clerk
600 Fourth Avenue, 3rd Floor
P.O. Box 94728
Seattle, Washington 98124-4728

RE: Clerk File No. 308884, Children's Proposed Master Plan

Dear Councilmembers, City Staff and Assistant City Attorney Sandy Watson:

This letter is written to respond to appeals filed in the above-referenced matter.

I was appointed by the Seattle City Council to serve on the Children's Citizens Advisory Committee (CAC) and participated in that process for almost two years. I submitted three of the minority reports and signed onto the unprecedented thirteen minority reports which are a part of the record. My comments below are as an individual CAC member.

Response to Appeal Filed by Dixie and Steve Wilson: It should come as no surprise to the Council given the public pressures it has already faced that CAC members were under enormous pressure from Children's to approve its expansion plans. This pressure grew over time. Early on in the process, the CAC as a whole asked Children's to develop an alternative for our consideration that involved less, but still substantial square footage of new development. Children's refused to compromise on square footage issues and did not respond to repeated requests from the CAC and other community organizations in this regard. Also, early in the process, the CAC rejected expansion of the major institution boundaries to include the Hartmann site across Sand Point Way. As time passed, however, the pressure became overwhelming to approve Children's entire square footage demand. Given that circumstance, many CAC members could no longer resist allowing development on the Hartmann site across Sand Point Way as a means of spreading the intensity of the development across a larger area. These and other issues are the subject of some of the unprecedented 13 minority reports. The Wilson's appeal fails to acknowledge these pressures.

The Wilsons also fail to acknowledge the fundamental imbalance in CAC membership, something that is a part of the record. The Major Institutions Code calls for one citywide representative on the CAC. Instead of following its own rule, when vacancies on the CAC occurred due to conflicts of interest with Laurelon homeowners serving, the Department of Neighborhoods moved up the citywide rep alternate to serve as a voting member on the CAC. This meant that the CAC had two, rather than one citywide rep. The change in balance of the CAC makeup proved pivotal as Theresa Doherty, the new second citywide rep, took a leading role in the process and in supporting the wish list of the hospital over the needs of the neighborhood. Ms. Doherty, as she noted, does not live in the area but in Gig Harbor. Her employer, the University of Washington, has a very integral interest in the expansion of Children's hospital as it is its own pediatric teaching hospital.

Response to Appeal by Catherine Hennings: Ms. Hennings was vice-chair of the CAC, but her appeal is her own and not authorized in any way by the CAC. As a CAC member, I disagree with Ms. Hennings' personal opinion that the Hearing Examiner's reference to Children's location outside of an urban village somehow shows a "complete disregard of the CAC process." As I read the Examiner's decision, while she refers to this circumstance for context, the reference is in explanation of the balancing she is required to perform under the Code. It is not clear at all how this represents a disregard of the CAC process.

I know that the Examiner had a huge advantage over the CAC in considering the factors involved. In addition to her expertise, her hearings allowed for the kind of questioning, including cross-examination of presentations by key experts. We on the CAC did not have that benefit. The lack of it was felt because we could never really get Children's or DPD to answer key questions or explain important discrepancies. Our thinking and decisions were under relentless pressure by both Children's and DPD to stay within the box they had created.

The Hennings appeal also addresses the traffic impacts of the proposed expansion stating that in her opinion, "the majority of the CAC concluded that most of the impact could be mitigated." This statement is not borne out by the actual CAC report. For example, page 15 of the CAC's report states only:

"As a Major Institution located within a primarily residential neighborhood, the size and scale of the hospital is already large and clearly has substantial impacts on its immediate neighbors. The bulk, height and scale of the proposed expansion, along with its concurrent traffic and transportation impacts will be significant."

In addition, page 25 of the CAC report states:

"Transportation issues were raised early and often in the process, as the CAC members believed that an increased volume of traffic resulting from the expansion will have significant impacts on the surrounding neighborhoods and NE Seattle in general."

The CAC recommended several transportation mitigation measures for the proposed master plan and stated that it "broadly supports the Transportation Management Plan Elements as outlined in the DPD Director's Report." There is nothing in the CAC report and the record, however that states that the CAC majority concluded that the traffic impacts could be mitigated.

Finally, Hennings states that the Hearing Examiner's recommendation for denial of master plan approval should be reversed in part to respond to the approaching flu season. The CAC report reflects no discussion or recommendations to expedite the process to address the flu season.

Response to Appeal by the Displacement Coalition and the Interfaith Task Force on Homelessness: The CAC's final report includes recommendations on Children's obligation to provide comparable replacement housing with demolition of the 136-unit Laurelon garden condominium complex. As the EIS reflects, demolition of this housing will result in a 21 percent loss of moderate income housing in the area.

The CAC voted to support the hospital's housing replacement plan with certain conditions. The Hearing Examiner had determined that the FEIS failed to provide the requisite

information on the scope and details of the impact of demolishing 136 units of housing at Laurelon Terrace. However, the CAC was not afforded the opportunity to comment on DPD's revised recommendations on the master plan or on the revised FEIS (including housing and land use). This is despite the mandates contained in the Major Institutions Code calling for CAC review and comment.

The CAC heard from Mark Ellerbrook from the City's Office of Housing, Bill Block from the Committee to End Homelessness and representatives from Common Ground, which will benefit from a contribution to low-income housing at Warren G. Magnuson Park. The CAC also heard from many individuals and representatives from community organizations supporting a one-to-one replacement for the lost housing.

Unfortunately, DPD, DON or the Office of Housing did not provide historical information on the development of the housing replacement requirement in the Code and how it has been applied, nor did they recommend speakers to address this important background. DON provided minimal information about the Harborview master plan and stated that the Council had decided that the replacement housing must be in the vicinity of the lost housing. Mr. Ellerbrook told the CAC that Harborview and Virginia Mason paid sums to satisfy the replacement housing requirement. But, the CAC had no details and no documents to review in this regard.

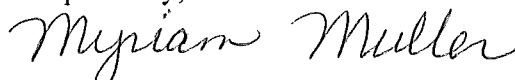
The Office of Housing interpreted the Code provision as allowing a major institution to simply provide a contribution that would be "gap" funding to be used to leverage other funding possibilities. Basically, what is now recommended as a condition, should the Council approve Children's master plan, is a contribution of \$5 million for the replacement of 136 moderate income units. This would be a fraction of the cost to replace this housing—less than 20 percent of Children's obligation.

The CAC was not aware of the legislative intent behind the Code requirement. As stated in this appeal:

"The language was written to ensure that the developer/institution was obligated to replace 100 percent of the housing they removed and that no public or city funds would be used for meeting the developer/institution's obligation. Institutions were free to fulfill their replacement obligations thru a combination of private grants, bank financing, donations, etc. so long as no public dollars from any public source would be credited against such private obligations."

The details of this replacement plan were only provided in the revised FEIS and the CAC had no opportunity to review, discuss and provide additional recommendations.

Respectfully,



Myriam Muller
4517 46th Avenue NE
Seattle, Washington 98105
myriamdm@hotmail.com

cc: Parties of Record

CAC Minority Reports

Seattle Children's Hospital Master Plan
Submitted to the Hearing Examiner on March 2, 2009

Minority Report #1 -Committee Intent and the Listing of Votes on Each Recommendation

We the undersigned members of the Children's Hospital Citizens Advisory Committee, as indicated below, offer the following comments on the Committee report relating to procedural issues as to format as these issues affect how the Committee recommendations will be interpreted by decision makers.

Intent recommendation: The first Committee recommendation is based upon the assumption that Alternative 7R is the platform upon which a final approval master plan would be based. This is true, however, the recommendation goes on to state that the plan is approved as modified by the recommendations listed in Section II of the report.

There are two problems with this introductory recommendation. First, the Committee never voted that this should be the introductory recommendation.

Second, and more importantly, the Committee's recommendations do not address many components and issues in the master plan. For example, the master plan references a construction management plan to address noise, traffic and parking impacts, impacts on the pedestrian network and installation of temporary modular buildings for displaced hospital functions during a period that will extend over a decade. The plan also references the appropriate level of parking spaces both on and off campus. The Committee did not address these components of the plan.

The proposed master plan indicates its consistency with the Major Institution Code rezone criteria and the City's Comprehensive Plan, yet the Committee made no recommendations in this regard and heard repeatedly during the public comment about these issues. Most recently, the Committee chose to not address street vacation issues. Likely, the failure to address these issues was influenced by the complexity of the issues, rather than the implication of the "intent" recommendation that the Committee agrees with the master plan. These are just a few examples of why the "intent" Committee statement does not accurately reflect the Committee's endorsement of the master plan, other than the Committee's specific recommendations.

The "intent" recommendation is not a mere restatement of Recommendation 2 as stated in the report.

Listing of votes on each recommendation: Votes on individual motions of the Committee on various issues are recorded in the minutes of each meeting which are a part of the Committee's report. Although it was suggested at one meeting, the Committee did not vote to record the votes on each recommendation in the final report. It was indicated at that meeting that it was not standard practice.

Committee members were not told in advance as votes were taken during the Committee deliberations of this possibility. In response, one Committee member noted that it is easier for decision makers to see the will of the Committee by including the votes after each recommendation. On the contrary, doing so is misleading and takes the votes out of context because the votes were taken over an extended period of time before Committee members had an opportunity to see the bigger picture and the recommendations as a whole.

Endorsing particular aspects of Alternative 7R is not the same as endorsing every aspect of the plan. There could be unintended consequences with each recommendation and this something that the Committee has not addressed with regard to each motion that passed without revisiting the issue of recording votes as Committee member positions have evolved.

The Committee continued to receive additional information about the various issues, including those upon which a vote had been taken and it is possible that individual Committee member positions changed. Decision makers deserve a fair representation of Committee recommendations.

Signed by: Gina Trask, Miriam Muller, Kim Dales

Minority Report #2 - Minority Report of Brice Semmens (Alternate)

CAC Minority Reports and Recommendations Children's Final Master Plan (Alternative 7R)

We the undersigned members of the Children's Hospital Citizens Advisory Committee, as indicated on the following report, respectfully submit the attached specific phasing recommendation for Children's Hospital Master Plan

Children's Hospital has presented a well thought out and reasoned approach to the phased expansion of facilities. While we fully support most aspects of the phasing process described by the hospital, we believe that the planned development of the Hartmann property should be moved to the final phase (phase 4) of the development plan. In the current phasing proposed by the hospital, the Hartmann property would be developed in phase 2, beginning as early as 2013.

Hartmann Property

The committee was split on the decision to include the Hartmann property in the MIO. A slim majority felt that the hospital could not meet future demands using the land associated with the existing campus and Laurelton Terrace. Others felt that the expansion of the MIO across Sandpoint was unacceptable, and tenuously justified. The development of the Hartmann property represents the only major "footprint" expansion of the hospital MIO that is NOT associated with patient beds. The planned 150,000 square feet and 225 parking spaces will be dedicated to office space and labs associated with hospital functions and research.

Phasing and Hartmann

We feel that the Hartmann property should only be developed only after the existing campus and Laurelton Terrace properties have been fully developed. Developing the Hartmann property in phase 2 would result in a campus footprint that spans a major thoroughfare (Sandpoint way) approximately 15 years earlier than necessary based on space limitations. *Additionally, In the event that the full size and scope of the hospital expansion is not required, the needs of the hospital can likely be met entirely within the existing footprint of the hospital and Laurelton Terrace site.* Given than many committee members felt that the Hartmann property should not be included in the MIO, it would be prudent to exhaust the campus space to the east of Sandpoint before spreading across Sandpoint.

The planned development of an office/lab building to the north of Penny Drive on the existing hospital footprint should be carried out before the Hartmann property is developed. Currently, this north office/lab building is slated to be developed in phase 4 (2025-2027). Because the amount of square footage in this building (190,000) is more than that proposed for the Hartmann site

(150,000), the needs of the hospital can be fully met without expanding the development footprint during phase 2

The hospital's justification for the early development of the Hartmann property appears to be based on parking needs. According to the hospital, the amount of required parking cannot be maintained on campus unless Hartmann is developed early in the process. We believe that the specific progress of development can be planned in order to avoid parking shortages, and off-site parking and alternative transportation can be used to mitigate parking constraints. Put simply, it is not sufficient to justify a major hospital footprint expansion more than a decade before the space is actually needed because the proposed plans cannot accommodate on-campus parking and construction simultaneously. *We feel that minor revisions to the architectural plans and development scheme will yield a development that balances on-campus building needs and parking needs without requiring Hartmann development until the final phase.* Thus, we offer the following specific recommendation:

Development of the North Garage and Office Building in the area north of Penny Drive, proposed by Children's for Phase 4, shall occur in Phase 2. Development of the Hartmann site, proposed by Children's for Phase 2, shall occur in Phase 4 (the last phase of development), after all approved development is completed on the main campus.

Signed by: Cheryl Kitchin, Miriam Muller, Kim Dales, Shelley Hartnett, Brice Semmens

**CAC Minority Reports and Recommendations
Children's Final Master Plan (Alternative 7R)**

We the undersigned members of the Children's Hospital Citizens Advisory Committee, as indicated on the following reports and recommendations, respectfully submit the attached recommendations for Children's Hospital Master Plan.

The Major Institutions Code requires that Children's proposed expansion represents "a reasonable balance of public benefits of development and change with the need to maintain [the] livability and vitality of adjacent neighborhoods" (SMC 23.69.032.E.2). The Code is clear that a balancing process is necessary in determining the appropriate level of expansion:

SMC 23.69.002 Purpose and intent.

The purpose of this chapter is to regulate Seattle's major educational and medical institutions in order to:

- A. Permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;
- B. Balance a Major Institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods;

SMC 23.69.025 Intent of Major Institution master plans.

The intent of the Major Institution Master Plan shall be to balance the needs of the Major Institutions to develop facilities for the provision of health care or educational services with the need to minimize the impact of Major Institution development on surrounding neighborhoods.

We find that the recommendations endorsed by the majority, while representing an improvement over the proposed master plan, do not sufficiently protect the neighborhood or achieve the Code-required "reasonable balance."

Minority Report #3 - CAC Recommendation #4 – MIO BOUNDARY AND HARTMANN PROPERTY

Children's Proposal: Expand MIO boundary to include Hartmann property, with tailored heights and setbacks.

CAC Recommendation #4 (as of 1/30/09)	Minority Recommendation #4A	Rationale
<p>That extension of the MIO boundary to incorporate the Hartmann Site be conditioned as follows:</p> <ol style="list-style-type: none"> 1. That the existing Sequoia grove be retained – all of the trees, so long as they are healthy 2. That in partnership with Seattle Children's, Seattle Department of Parks and Recreation, Hawthorn Hill and Ravenna Bryant a connection to the Burke Gilman Trail be provided, 3. That expanded setbacks, as described in Draft Hartmann Chart be provided as shown in the attached figure ____ 4. That a Landscape/Green Screen be provided at the north, south and west edge of the property and that neighborhood input and review be sought during its design, 5. That Sand Point Way frontage streetscape and amenities be provided, 6. That the Lot coverage be limited as described in the Draft Hartmann Chart 7. That the Height of the west façade of the building be no higher than the average grade of the Burke Gilman trail within 60 feet of the west property line. 8. That a 40 foot setback be included along the north margin of the property, except that such a setback may include pedestrian, bicycle and non-motorized vehicle access to the Burke Gilman Trail. 9. That the mechanical hat 	<p>Do not include Hartmann in the MIO boundary. Keep the existing Lowrise 3 multifamily zoning.</p>	<ul style="list-style-type: none"> • In order to prevent institutional sprawl and the isolation of private properties and uses from others in the neighborhood, the City's major institution goals and policies strongly discourage the expansion of MIO boundaries. The neighborhood is already at a "tipping point" at which the institutional use and impacts (from Children's, the UW and Talaris) threaten the viability and vitality of the community. • If Hartmann is in the MIO, the Wells Fargo site and adjacent properties would be isolated and vulnerable to future acquisition, rezoning and development by Children's. In addition, the Wells Fargo site lies between the Hartmann property and Laurelon Terrace; thus Hartmann is separated from Laurelon Terrace by both a street and Wells Fargo, making it not contiguous with the main campus (a requirement for inclusion in the MIO). • Redevelopment of the Hartmann Property with intense major institution use would be inconsistent with the existing and intended residential use of the area. The Property is in an area that is solidly residential. It is zoned for residential use; its Comp Plan designation is for residential – not institutional – use. Residentially zoned and developed properties are located to the north and west of the Hartmann Property, and a nonconforming but nonetheless "permanent" residential condo is located to the south. • The Laurelhurst neighborhood and Hartmann Property are outside of any designated urban village/ center, employment center or transportation hub. Extending the MIO boundary to the

(penthouse) at the Hartmann Building be restricted to no more than 25% of the roof area and that it be shifted east toward Sandpoint as far as reasonable.		<p>Property would contribute to arterial sprawl and to even more intense traffic, development and job growth outside of urban villages – the antithesis of the urban village growth strategy.</p> <ul style="list-style-type: none"> • Covered bus stops proposed by Children's along the west side of Sand Point Way, including along the Hartmann site, could still be provided.
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Signed by: Brice Semmens, Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett

Minority Report # 4 - CAC Recommendation #4 – MIO BOUNDARY AND HARTMANN PROPERTY

Children's Proposal: Expand MIO boundary to include Hartmann property, with tailored heights and setbacks.

CAC Recommendation #4 (as of 1/30/09)	Minority Recommendation #4B	Rationale
<p>That extension of the MIO boundary to incorporate the Hartmann Site be conditioned as follows:</p> <ol style="list-style-type: none"> 1. That the existing Sequoia grove be retained – all of the trees, so long as they are healthy 2. That in partnership with Seattle Children's, Seattle Department of Parks and Recreation, Hawthorn Hill and Ravenna Bryant a connection to the Burke Gilman Trail be provided, 3. That expanded setbacks, as described in Draft Hartmann Chart be provided as shown in the attached figure ____ 4. That a Landscape/Green Screen be provided at the north, south and west edge of the property and that neighborhood input and review be sought during its design, 5. That Sand Point Way frontage streetscape and amenities be provided, 6. That the Lot coverage be limited as described in the Draft Hartmann Chart 7. That the Height of the west façade of the building be no higher than the average grade of the Burke Gilman trail 	<p>If the Hartmann site is approved for inclusion in the MIO boundary, add the following recommendation regarding the phasing of project development:</p> <p>Development of the North Garage and Office Building in the area north of Penny Drive, proposed by Children's for Phase 4, shall occur in Phase 2.</p> <p>Development of the Hartmann site, proposed by Children's for Phase 2, shall occur in Phase 4 (the last phase of development), after all approved development is completed on the main campus.</p>	<ul style="list-style-type: none"> • Expansion of major institution boundaries, such as to the Hartmann site, is strongly discouraged by the City's Land Use Code and Comprehensive Plan. Children's should pursue development options on its main campus before expanding across Sand Point Way. • The uses proposed for the Hartmann site and the area north of Penny drive are of similar type (office and parking) and square footage (150,000 compared to 190,000 gross square feet, respectively). • Covered bus stops proposed by Children's along the west side of Sand Point Way,

<p>within 60 feet of the west property line.</p> <p>8. That a 40 foot setback be included along the north margin of the property, except that such a setback may include pedestrian, bicycle and non-motorized vehicle access to the Burke Gilman Trail.</p> <p>9. That the mechanical hat (penthouse) at the Hartmann Building be restricted to no more than 25% of the roof area and that it be shifted east toward Sandpoint as far as reasonable.</p>		<p>including along the Hartmann site, could still be provided during an early phase of development.</p>
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Signed by: Brice Semmens, Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett

Minority Report # 5 -CAC Recommendation #5 – MIO HEIGHT

DISTRICTS AND STRUCTURE HEIGHTS

Children's Proposal: MIO height districts vary, with some districts on the current, main campus remaining the same as existing or with comparatively moderate increases in height; new MIO 160 (conditioned to 140') on Laurelon Terrace and west portion of current main campus.

CAC Recommendation #5 (as of 1/30/09)	Minority Recommendation #5	Rationale
<p>Heights shown in the Seattle Children's Final Master Plan Alternative 7R should be approved with the following major revisions:</p> <p>1. The inclusion of a MIO 50 along the west side of the main hospital campus along 40th Avenue NE extending from NE 45th to Sand Point Way NE a minimum of 80 feet in width.</p> <p>2. The inclusion of a MIO 50 along Sand Point Way NE from 40th Avenue NE to NE 50th Street a minimum of 30 feet in Width.</p> <p>3. The reduction of the size MIO 160' conditioned to 140' that is shown on Figure 46 page 65 of the Final Master Plan for Children's to cover only that area required to accommodate phase one development and defined as that portion of the MIO 160' conditioned to 140' located north</p>	<ul style="list-style-type: none"> • Change the height of CAC's "reduced footprint" MIO 160 to MIO 105. (This replaces CAC recommendations #3, #4 and possibly #5.) • Along NE 45th St., increase the depth of MIO 37 from 40' to 75' (measured perpendicular to the street property line), to match the existing MIO 37 depth on the current campus (this will also correspond with the existing setback along NE 45th St.) • Add a master plan condition that the bulk, footprint and configuration of new structures in the area of the Laurelon Terrace site shall consist of distinct towers, heights terracing down between towers and toward property lines, and 	<ul style="list-style-type: none"> • Although CAC's majority recommendations are an improvement over the heights proposed by Children's, lower and terraced heights are needed for better height, bulk and scale transition between the campus and single family homes/single family zones along NE 45th St. (including those across from Laurelon Terrace) • Lower height is needed at the gateway to the neighborhood to maintain single family character • The 18' grade change between Laurelon Terrace and the current campus accentuates structure height, making MIO 160 (conditioned to 140' or 125') too high in this location • MIO 105 is consistent with the maximum height allowed for

<p>of an east /west line lying 350 feet north of the current south property line of the Children's Campus.</p> <p>4. The further conditioning of that portion of the MIO 160 shown on Figure 46 page 65 of the Final Master Plan for Children's being south of an east/west line lying approximately 350 feet north of the current south property line of the Children's Campus to a height of no greater than 125 as shown on the map below'.</p> <p>5. Limit floors above the podium to 5 for those going east and west and 6 for those going north and south</p> <p>6. Limit and screen rooftop mechanical equipment areas to the degree practical while still supporting patient care programs with an upper limit of 30% roof coverage.</p> <p>7. MIO of 65' for the Hartmann property with setbacks as previously recommended by the CAC.</p>	<p>significant façade modulations at ground and upper levels.</p> <ul style="list-style-type: none"> • Support CAC recommendations #1, #2 and #6 regarding new MIO 50 height districts and rooftop mechanical equipment • If Hartmann site is not in the MIO, CAC Recommendation #7 would not apply. 	<p>major institutions outside of urban villages, and is 3.5 times higher than the base heights allowed in the single family and lowrise multifamily zones that surround Children's campus and in the single family zone on the campus itself. MIO 105 is higher than any height approved in Children's current master plan</p> <ul style="list-style-type: none"> • Children's can have more above-grade facilities if the Southwest Garage is located underground. See related Minority Recommendation #11. • A condition is needed to help ensure that structure design incorporates bulk reducing mitigation measures, and generally reflects the representations in the master plan and EIS.
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Signed by: Brice Semmens, Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 6 - CAC Recommendation #6: TRANSPORTATION

Children's Proposal: Existing vehicle access at Penny Drive and the existing service vehicle access and bus pull-out along NE 45th Street would remain. Two new vehicle access points are proposed off 40th Avenue NE, one for the Southwest Parking Garage and one for emergency/ambulance access. A new service and fire access is proposed off NE 50th Street, and a new fire access is proposed off NE 45th Street. Mitigation of new, significant vehicle trips is proposed through transportation management plan measures instead of reduction in development square footage.

CAC Recommendation #6 (as of 1/30/09)	Minority Recommendation #6A through #6C	Rationale
CAC broadly supports the Transportation Management Plan Elements as outlined in the	The following recommendations are intended to ensure that the service/fire access proposed for NE 50 th Street is used only for very limited purposes, as	<ul style="list-style-type: none"> • NE 50th Street is a local access street that serves only residential uses. It is not appropriate for more

<p>DPD Director's Report and including those elements noted in the CAC Discussion Matrix (item #10), with the following additional provisions:</p> <ol style="list-style-type: none"> 1. For the life of the Plan, Children's will restrict the vehicle entrances shown on NE 45th St. and NE 50th St. to limited service access and emergency access only. 2. Children's will work with the SAC to develop additional pedestrian and bicycle-only perimeter access points as well as designated pedestrian and bike routes through campus in order to allow the public to benefit from the new transit center and Burke-Gilman Trail connections. 	<p>intended, and does not precipitate more intense, general vehicle use.</p> <p>6A. Add the following sentences to the first recommendation relating to service/fire access off of NE 45th and NE 50th Streets, and make the recommendation a condition of approval on the master plan:</p> <ol style="list-style-type: none"> 1. . . . limited service access and emergency access only. For the NE 50th Street access point, "limited service access" shall mean limited to grounds maintenance vehicles and, if needed, public utility access. The access shall be designed with bollards and/or other travel restricting devices to prevent unintended use. <p>6B. Add a third recommendation related to the NE 50th Street service/fire access, as a condition of master plan approval:</p> <ol style="list-style-type: none"> 3. The service/fire access drive near the North Parking Garage shall be located outside of the perimeter buffers/setbacks that are along NE 50th Street and 44th Avenue NE, except as necessary to cross the NE 50th Street buffer/setback, perpendicular to the street. <p>6C. Add a fourth recommendation related to access to the North Parking Garage:</p> <ol style="list-style-type: none"> 4. There shall be no vehicle access through the east façade of the garage. 	<p>intense vehicle use.</p> <ul style="list-style-type: none"> • CAC and community members consistently supported no new vehicle access on NE 50th Street. Compromises made now to accommodate low level, necessary uses should not open the door for more intense future use. • Setback areas should be landscaped, to the maximum extent possible, to provide needed mitigation, and not usurped by paved roads or parking areas.
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Signed by: Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 7 - CAC Recommendation #7: VEHICLE ACCESS

Children's Proposal: Existing vehicle access at Penny Drive and the existing service vehicle access and bus pull-out along NE 45th Street would remain. Two new vehicle access points are proposed off 40th Avenue NE, one for the Southwest Parking Garage and one for emergency/ambulance access. A new service and fire access is proposed off NE 50th Street, and a new fire access is proposed off NE 45th Street.

CAC Recommendation	Minority Recommendation #7	Rationale
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#7 (as of 1-30-09)		
<p>Access to the Larelon Terrace site shall consist of one entry from 40th Avenue NE for a single use (either the emergency room or general parking garage, and not both) with one additional access point on Sand Point Way (for a total of two access points including the existing Penny Drive). There shall be no egress or access to or from the garage from NE 45th Street to 40th Ave NE.</p>	<p>Replace CAC Recommendation #7 with the following, which should be required as a condition of master plan approval:</p> <p>Vehicle access to the main campus/Laurelon Terrace site shall be from Sand Point Way, and may include the Penny Drive access (in its existing or a modified location) as well as a second access, both used for any purpose. There shall be no vehicle access to the main campus/Laurelon Terrace site from any other street, except for the fire and service access points on NE 45th and NE 50th Streets.</p> <p>See also Minority Recommendations 6A through 6C, related to the NE 50th Street service/fire access.</p>	<ul style="list-style-type: none"> • 40th Avenue NE, located adjacent to Laurelon Terrace, is a residential street used widely by residents, school children, school busses, fire trucks and other emergency vehicles, and others. It is a major route out of the neighborhood to grocery stores and other businesses. Use of this street to enter Children's SW Parking Garage and emergency/ambulance area would unnecessarily create traffic congestion and conflict among the competing hospital, fire department and other community uses. • 40th Avenue NE is the major route used by emergency service vehicles from Fire Station 38 to enter the Laurelhurst community. The current three-minute response time would be increased and would impact the safety of neighbors in the community with medical and other emergencies. • Hospital use of 40th Avenue NE will force neighborhood traffic onto other residential streets near neighborhood schools, churches and the Laurelhurst Playfield. This will impact children riding bikes and walking to school and playing in the area. Sand Point Way should be used for hospital traffic and access; large volumes of hospital traffic should not be diverted onto a residential street.

Signed by: Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 8 - NEW CAC Recommendation #11 (Minority): SOUTHWEST PARKING GARAGE

Children's Proposal: The 3- to 5-story Southwest Parking Garage is located above grade.

CAC Recommendation (as of 1-30-09)	Minority Recommendation #11	Rationale
None.	The Southwest Parking Garage shall be placed below existing grade; hospital facilities can be constructed on top of garage, consistent with height limits	<ul style="list-style-type: none"> • Allows for the best use of limited land by the hospital, and more land area for beds and associated facilities on the main campus, while providing necessary mitigation for the neighborhood.

	and required setbacks	<ul style="list-style-type: none"> Many hospitals have successfully constructed underground parking. For example, the recently built Overlake Hospital, in downtown Bellevue by I-405, made wise use of limited land resources by constructing its new multi-level hospital bed wing on top of its new, multi-level underground parking garage. The southwest corner of the Laurelon Terrace site (at NE 45th Street and 40th Avenue NE) is highly visible and is one of the gateways to Laurelhurst's residential community. It is also across the street from single family houses. An above-grade parking garage is an inappropriate use and structure at such a location.
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Signed by: Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 9 - NEW CAC Recommendation #12 (Minority): SETBACKS/LANDSCAPED BUFFERS

Children's Proposal:

75' setback along east and portions of north and south boundaries

40' setback along SPW, north of Penny Dr

40' setback along portions of NE 45th and 50th streets

20' setback along 40th Ave NE

10' setback along SPW, south of Penny Dr

CAC Recommendation (as of 1-30-09)	Minority Recommendation #12	Rationale
<p>None.</p> <p><u>Children's proposal:</u></p> <p>75' along east and portions of north and south boundaries</p> <p>40' along SPW, north of Penny Dr</p> <p>40' along portions of NE 45th and 50th streets</p>	<p>No change.</p> <p>No change.</p> <p>Increase to 75'</p> <p>No change.</p>	<ul style="list-style-type: none"> In its comments on the Draft master plan/EIS (7-25-08), the full CAC asked for the 75-foot landscaped buffers along NE 45th and NE 50th Streets, but they were not provided Larger, fully landscaped setbacks are part of the mitigation that is needed for Children's increased development and height opposite residences, along residential streets and at the gateway to the neighborhood, to: maintain single family character; screen building mass; achieve better

<p>20' along 40th Ave NE</p> <p>10' along SPW, south of Penny Dr</p>	<p>No change.</p> <p>In addition, all setbacks, except those along Sand Point Way, shall be fully landscaped in a manner consistent with existing setbacks and with the "Garden Edge" characterized in the master plan.</p>	<p>transition between land uses; ensure space for plant growth; and allow for pockets of low growth along streets and higher growth behind.</p> <ul style="list-style-type: none"> • 75-foot setbacks already exist or are appropriately proposed opposite <u>all</u> single family houses/zones, <u>except</u> for those that are located south of Laurelon Terrace, across NE 45th Street, where a 40-foot setback is proposed. These residents and properties require at least the same, if not more, mitigation as those on other single family blocks, to reduce impacts from the significant amount of development that will be occurring on the Laurelon Terrace site. • 75-foot setbacks are appropriately proposed along much of NE 50th Street, opposite the residences (in Lowrise Duplex Triplex zones) that are located north of campus, <u>except</u> for the area that is adjacent to MIO 65, where a 40-foot setback is proposed. The LDT zone is the least intense multifamily zone and the most analogous to single family zones (for example, the 25-foot maximum height allowed in the LDT zone is even lower than that in single family zones). The proposed MIO 65 (and building) that is opposite these properties is nearly double the current MIO height of 37 feet. These residents and properties require the same, if not more, mitigation as others along the campus perimeter, to reduce the impacts of the North Office Building.
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Signed by: Brice Semmens, Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 10 - NEW CAC Recommendation #13 (Minority): REDUCED DEVELOPMENT ALTERNATIVE

Children's Proposal: 1.5 million square feet of new development

CAC Recommendation (as of 1-30-09)	Minority Recommendation #13	Rationale
None.	Children's master plan includes significant rezones; it is not entitled to 1.5 million square feet of development under the current zoning of the properties. At nearly all stages of the master planning process, CAC requested Children's to prepare an alternative with a reduced development program and square footage for analysis in the EIS. It has not done so. Children's should respond to CAC's request by providing the alternative.	<ul style="list-style-type: none"> • From CAC's comments on the preliminary draft master plan/EIS (2-14-08): "The proposal should be revised to include a new alternative that adds less than one million square feet and shows further significant height and bulk reductions below 160 ft. . . . Such an alternative should become the basis for the development, in consultation with the CAC, of the preferred alternative." • From CAC's comments on the Draft master plan/EIS (7-25-08): "In its comments to the Preliminary Draft Master Plan the CAC requested the development of "a new alternative that adds less than one million square feet and shows further significant height and bulk reductions below 160 ft." in order to allow a full evaluation of the range of impacts. The CAC notes that no such alternative was evaluated in the EIS. Therefore the committee continues to recommend that an alternative that includes less than an additional 1,500,000 square feet be included in the EIS for evaluations purposes. This may be accomplished by an evaluation of the initial impacts of any Phase one development as outlined in Section C below. . . That phase one development include no more than 800,000 square feet of new development." <p>AND</p> <p>"However, the CAC is concerned that the proposed 1.5 million square feet may be too much to approve at this time. The CAC members continue to struggle with this issue. Some have concluded that the full 1.5 million square feet of development should be included in the plan, others do not. No consensus has been reached on this issue at this time and the CAC neither endorses nor formally opposes any specific square footage proposal. However, there continues to be concern regarding the ability of the neighborhood to accommodate the full 1.5</p>

		million square feet of growth while maintaining its livability.
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Signed by: Brice Semmens, Mike Wayte, Miriam Muller, Kim Dales, Shelley Hartnett, Gina Trask

Minority Report # 11 - NEW MINORITY 14 - OVERALL DEVELOPMENT SQUARE FOOTAGE

Children's Final Master Plan (Alternative 7R)

We the undersigned members of the Children's Hospital Citizens Advisory Committee, as indicated on the following report and recommendation, respectfully submit the attached recommendation for Children's Hospital Master Plan.

The Major Institutions Code requires that Children's proposed expansion represents "a reasonable balance of public benefits of development and change with the need to maintain [the] livability and vitality of adjacent neighborhoods" (SMC 23.69.032.E.2).

The Code is clear that a balancing process is necessary in determining the appropriate level of expansion:

SMC 23.69.002 Purpose and intent.

The purpose of this chapter is to regulate Seattle's major educational and medical institutions in order to:

A. Permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;

B. Balance a Major Institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods;

SMC 23.69.025 Intent of Major Institution master plans.

The intent of the Major Institution Master Plan shall be to balance the needs of the Major Institutions to develop facilities for the provision of health care or educational services with the need to minimize the impact of Major Institution development on surrounding neighborhoods.

We find that the recommendations endorsed by the majority, while representing an improvement over the proposed master plan, do not sufficiently protect the neighborhood or achieve the Code-required "reasonable balance."

Minority Recommendation: OVERALL DEVELOPMENT SQUARE FOOTAGE

Children's Proposal:

1.5 million additional (new) square feet; 2.4 million total maximum developable gross floor area that would be allowed in the entire MIO (Note that Children's square footage limit appears to only apply to above-grade square footage, while DPD's recommended limit would apply to both above- and below-grade square footage.)

CAC Recommendation	Minority Recommendation	Rationale
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<p>None re overall development square footage.</p>	<ul style="list-style-type: none"> • Limit new development to no more than 704,000 gross square feet (above-and-below square footage, not including parking garages) <p>New development projects would be:</p> <p>Bed Unit North (Phase 1; 595,000 gsf);</p> <p>Ancillary/Ambulatory expansion (Phase 2; net 112,000 gsf, after demo of D & F wings)</p> <ul style="list-style-type: none"> • Limit parking spaces and structures to the equivalent of the Southwest parking garage (1100 spaces). • Full build out w/current development = ~1.555 million gsf • The allowable FAR for this development program would be about 1.25, which is higher than Children's current master plan (FAR .9) and higher than the FARs for other major institutions in similar settings outside of urban villages/centers <p>(FAR calcs exclude parking and below grade sf: 1,555,000 total gsf / 1,239,282 sf site area (without Hartmann) = 1.25)</p>	<ul style="list-style-type: none"> • In its comments on the Draft master plan/EIS (7-25-08), CAC asked for an EIS development alternative that did not exceed 800,000 sf, stating that: <p>"the CAC is concerned that the proposed 1.5 million square feet may be too much to approve at this time. The CAC members continue to struggle with this issue. Some have concluded that the full 1.5 million square feet of development should be included in the plan, others do not. No consensus has been reached on this issue at this time and the CAC neither endorses nor formally opposes any specific square footage proposal. However, there continues to be concern regarding the ability of the neighborhood to accommodate the full 1.5 million square feet of growth while maintaining its livability.</p> <p>No EIS alternative or master plan proposal has less than the initially requested 1.5 million new square feet.</p> <ul style="list-style-type: none"> • Full development of 1.5 million square feet would have significant, long-term unmitigatable impacts on the surrounding communities and streets, including with respect to transportation, land use, and building height and bulk impacts. The master plan proposed by Children's, even with the modifications recommended by CAC, does not minimize impacts on the community or maintain its livability; it does not achieve the Code-required balance between Children's objectives and neighborhood protection. • Children's master plan includes significant rezones; it is not vested to or otherwise entitled in anyway to 1.5 million square feet of development under the current zoning of the properties. • Children's requested square footage is unprecedented in single family areas that are outside of urban villages/centers; it is not consistent with the intent or spirit of the City's growth strategy. • 704,000 gsf is nearly 3 times the amount of
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		<p>development that was approved in Children's last master plan. As such, it is still a significant expansion that will have significant impacts.</p> <ul style="list-style-type: none"> • Even if the proposed, full expansion is "needed" (which has not been determined), the major institutions code requires a balancing of need with the protection of the neighborhood. A reduced (but still large) development program is required to reduce significant neighborhood impacts and achieve the Code-required balance.
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Signed by: Mike Wayte, Miriam Muller, Kim Dales

Minority Report # 12 - Independent, or added, assessment of the need for the projected beds, Mike Wayte

The primary concern for the CAC from day one has been height, bulk, and scale. Trying to mitigate the impact of Children's Hospital medical research center (CHMRC) MIMP in its NE Seattle neighborhood location has been difficult at best considering the sheer square footage. I would assimilate it to mitigating impacts of putting Bellevue Square or the Columbia tower (both with similar square footage) in the middle of any single family residential neighborhood. The source for CAC information came directly from consultants hired by Children's and it wasn't until the Laurelhurst Community Club (LCC) hired their own experts that we saw significant differences on bed needs, traffic impacts, and necessary square footage. Even after extensive discussions within the committee it became obvious that no one on the committee had the expertise to declare any of these reports as completely correct. In this aspect the process is flawed as both CHMRC and LCC are operating under special interest as reflected in their numbers and statics.

It is highly recommended that those deciding on the CAC MIMP report also read reports submitted by both CHMRC and LCC and consider their findings, particularly for the bed need and traffic impact. In addition it would be helpful to the process if the Department of Health (DOH) issued Certificate of Need (CON) "intent" to discover bed need BEFORE THE CAC EVER MEETS. Countless hours were spent deciding the true bed need by the CAC as this was the basis for our decision for height, bulk, and scale. If the numbers by the DOH CON were less than stated by CHMRC I can assure you that the FAR, square footage and height would be lessened to mitigate impacts on the neighborhoods surrounding the hospital.

We believe in the missive of CHMRC as a true asset to the city of Seattle, but we also understand that this is also big business as is evident by CHMRC lobbying against proposed expansion by Swedish Hospital's plan to expand child care in Issaquah with a hospital at that location. Some of the numbers that come into question in particular is the psychiatry beds proposed for CHMRC as they use bed statistics for children in all of the state of Washington as their forecast demand, even though CHMRC is not even the top provider of this type of care within Washington State. This information also has significant impacts on height, bulk, and scale for the proposed CHMRC expansion.

The CAC has done their best with the information given to us by Children's, but the truth is if the CAC were given the opportunity to move this expansion to a higher density location (such as Capitol Hill or other high density zone) it would have been voted to move this billion dollar expansion to that location. This option was never presented to the committee.

Given the volume of proposed alternatives given to the CAC by CHMRC it should be obvious that CHMRC was working within their vision and it wasn't until the 11th hour that we were given Alternative 7r. This alternative was as

close as the CAC was going to get to our input (much of our input was left off because it did not fit CHMRC's vision). Funny, but Alternative 7r INCLUDED the Hartmann property even though it was already voted off the MIMP by the CAC with a majority vote (and later overturned to work within Alt. 7r. This was the last alternative given to us because we were out of time.

The information provided by CHMRC is staggering and it is clear that millions were spent in driving this process and agenda. The efforts I believe to be carefully calculated and orchestrated to reach the full square footage of the proposed MIMP without giving up a single foot of compromise to the build out. Again, I will refer to the DOH CON as the deciding factor given conflicting information from CHMRC and LCC on the CON.

As a first time CAC member I can appreciate the time spent by everyone involved in this process, in particular the unpaid volunteers. I became a lightning rod for the Laurelhurst neighborhood voicing their concerns over our institutional neighbor as is evident by my email in box and the time discussing this expansion after school in the playground of Laurelhurst Elementary (one block away from CHMRC). The time commitment was significantly more than I expected.

The CAC is comprised of wonderful people who throughout the process showed remarkable courtesy and patience throughout the process (for the most part). The ability to "agree to disagree" harbored no resentment or hard feelings from my standpoint. I was impressed with the input given by everyone and the strengths they offered the CAC. I offer nothing but goodwill to all of these constituents and feel it was a privilege to work with them on behalf of the community.

The point of this minority report is for you to really discover the need and impact and balance that with our community. Gigantic institutions are forever as are the impact and my hope is that your report has more discovery on the facts not driven by special interest.. and we build on that, rather than what we have been given.

Cheers,
Mike Wayte (1st alternate)

Signed by: Cheryl Kitchin, Mike Wayte, Miriam Muller, Kim Dales

Minority Report # 13 - Lack of Fairness to Minority Views and Obstacles to Decision-Making

The following comments are offered on the Citizens Advisory Committee process relating to fairness to minority views and obstacles to decision-making. These are the kinds of issues that are important in understanding the Committee operations and recommendations.

Minority reports and views: Committee members preparing minority reports were given no opportunity to present their reports and respond to questions during the final Committee meeting. The final Committee meeting ended approximately 90 minutes early and there was ample time to allow presentation of minority reports. Failure to provide this opportunity was grossly unfair to minority proponents.

It was explained at the final Committee meeting by the Department of Neighborhoods (DON) staff that minority reports are not subject to debate. While there is no support for this statement in the Major Institutions Code, the Committee's bylaws or DON's Director's Rule 97-01 governing the master planning process, even if it is true, it should not be interpreted to deny minority proponents the right to present their views.

Committee members spent hours and hours preparing minority reports. There were only three days to prepare the minority reports because the reports could not be prepared until the bulk of the Committee's work was complete. The Committee's majority report was discussed in its entirety at the final meeting. Those with minority reports should have been afforded the same courtesy and respect in presenting their views.

Discussion of all sides of an issue is important in understanding the issues and developing consensus. Perhaps others on the Committee would have changed their minds on issues and signed onto minority reports with a briefing as to the substance of each report? This is little to ask, but then is consistent with the lack of respect throughout the entire process towards those with minority views. It was not uncommon for those with minority views on various issues to be cut off in the committee discussion or for others to simply talk over them or take over the discussion. In one instance, a Committee member commenting on the majority report was cut off and told to put her views in a minority report—despite the fact that minority reports were due the following day. It was very apparent that minority views were not welcome. It is possible that this is why those with minority reports were not allowed to present their reports at the final Committee meeting.

Obstacles to decision-making: One of the difficulties throughout the master planning process was Children's failure to provide reports and materials in a timely manner. Often, materials were emailed in the late afternoon the day of a committee meeting. Or, extremely complex presentations were made with no prior distribution of materials. It is extremely difficult to digest complex materials, ask questions and make recommendations without the materials provided in advance. There is also no opportunity to seek other views on the issues presented.

This flaw in the process also made it difficult for members of the public following the substantive issues to participate in the process at Committee meetings. While copies of Children's reports were provided to committee members at the meetings, no copies were provided to the public. Materials were generally posted on the master plan website within two or three days. But, community members did not have the information to review at the meetings and this likely hampered their ability to comment.

The Committee would have benefited if Children's had provided information and reports in a timely manner prior to meetings. The Committee would also have benefited from hearing from independent consultants not associated with Children's.

Signed by: Miriam Muller, Kim Dales

CERTIFICATE OF SERVICE

I certify that on the 21st day of September, 2009, I sent copies of the foregoing document (including this Certificate of Service) by first class mail, by depositing the copies in the U.S. mail, with proper postage affixed, or electronically at the addresses listed below.

John V Fox
Seattle Displacement Coalition
4554 - 12th Ave NE
Seattle, WA 98105
Jvf4119@zipcon.net

Bill Kirlin-Hackett
Interfaith Task Force on Homelessness
3030 Bellevue Way NE
Bellevue, WA 98004

Thomas Walsh
Judy Runstad
Foster Pepper Law Firm
1111 Third Avenue, Suite 3400
Seattle, WA 98101

Catherine J Hennings
3638 - 49th Ave NE
Seattle, WA 98105
cjhennings@gmail.com

Steve Ross
3625 - 47th Ave NE
Seattle, WA 98105

Bonnie Miller
6057 Ann Arbor Ave NE
Seattle, WA 98115-7618

Peter J. Eglick
Eglick Kiker Whited, PLLC
1000 2nd Avenue, Suite 3130
Seattle, WA 98104

John E. Keegan
Davis Wright Tremaine
1201 Third Avenue, Suite 2200
Seattle, WA 98101
johnkeegan@dwt.com

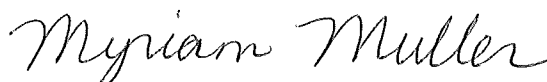
Judith Barbour
Assistant City Attorney
Seattle City Attorney's Office
600 Fourth Avenue, 4th Floor
P.O. Box 94769
Seattle, WA 98124-4769
Judy.barbour@seattle.gov

Peter Buck
The Buck Law Group
2030 First Avenue, Suite 201
Seattle, WA 98121
pbuck@bucklawgroup.com

Rick Barrett
Seattle Community Council Federation
1711 North 122nd Street
Seattle, Washington 98133
rickbarrett@gmail.com

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 21st day of September, 2009, at Seattle, Washington.



Myriam Muller